## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80427

THEVELEIN, Johan

Continuation of Appln. No.: 09/330,262

Group Art Unit: 1636 (parent)

Confirmation No.: 9212 (parent)

Examiner: Bronwen Loeb (parent)

Filed: March 10, 2004

For:

NEW STRAINS "FIL", STRESS-RESISTANT UNDER FERMENTATION

AND/OR GROWTH CONDITIONS

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which are all the references of record in parent application No. 09/330,262. Applicant is not submitting duplicate copies of these references but requests that they be listed on the face of any patent granted on the above application. (See 37 CFR §1.98(d)). Copies of any cited copending applications, if not previously submitted, are being submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any

listed document as a competent reference against the claims of the present application.

## INFORMATION DISCLOSURE STATEMENT CONTINUATION OF 09/330,262

Respectfully submitted,

Jehnifer M. Hayes Registration No. 40,641

SUGHRUE MION, PLLC Telephone: (202) 293-7060

Facsimile: (202) 293-7860

washington office 23373 customer number

Date: March 10, 2004

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		TTY.DOC	ATTY.DOCKET No. 080427 SERI, 10. Cont. of 09/330,262			52			
		APPLICAN	APPLICANT Johan Thevelein, et al.						
		FILING DA	FILING DATE March 10, 2004 GROUP		P ART UNIT 1636 (parent)				
U.S. PATENT DOCUMENTS									
EXAMINER INITIAL	DOCUMENT NUMBER	DATE			CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	US 4 547 374	May 5, 1983	Y. Nakatomi et al.						
	<u> </u>	l							
<del></del>	<del>                                     </del>	FOREIGI	N PATENT DOCUMENT	<u>s</u>			r··		
	DOCUMENT NUMBER	DATE	COUNTRY		CLASS	SUB CLASS	TRANSLATION YES NO		
	WO97/01626	June 24, 1996	International						
	EP 0 196 233	March 26, 1986	Europe						
	EP 0 388 262	March 9, 1990	Europe						
	EP 0 451 896	March 25, 1991	Europe						
	EP 0 838 520	October 23, 1997	Europe						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)									
	1 Attfield, P.V. (1997) Nature Biotechnology, 15, 1351-1357.								
	2 Boy-Marcotte, E., Ikonomi, P. and Jacquet, M. (1996) Mol. Biol. Cell, 7, 529-539.								
	3 Broach, J.R. and Deschenes, R.J. (1990) Adv. Cancer Res., 54, 79-139.								
	4 Cameron, S., Levin, L., Zoller, M. and Wigler, M. (1988) Cell, 53, 555-566.								
	5 Camonis, J.H., Kalékine, M., Gondré, B., Garreau, H., Boy-Marcotte, E. and Jacquet, M. (1986) EMBO J., 5, 375-380.								
	6 Cannon, J.F.								
	7 Crauwels, M., Donaton, M.C.V., Pernambuco, M.B., Winderickx, J., de Winde, J.H. and Thevelein, J.M. (1997) <i>Microbiol.</i> , 143, 2627-2637.								
	8 Crowe, J.H., Hoekstra, F.A. and Crowe L.M. (1992), Ann. Rev. Physiol., 54, 579-599.								
		9 De Virgilio, C., Hottiger, T., Dominguez, J., Boller, T. and Wiemken, A. (1994) Eur. J. Biochem., 219,							
	10 de Winde, J.I	10 de Winde, J.H., Thevelein, J.M. and Winderickx, J. (1997) In S. Hohmann and W.H. Mager (eds.), Yeast							
	stress responses. Landes, Austin, Tx, USA, pp. 7-52.  11 Gietz, R.D. and Sugino, A. (1988). Gene. 74, 527-534.								
	11 Gietz, R.D. and Sugino, A. (1988), Gene, 74, 527-534.  12 Hirata, D., Harada, S., Namba, H. and Miyakawa, T. (1995) Mol. Gen. Genet., 249, 257-264.								
<del>  </del>	12 Hirata, D., Harada, S., Namoa, H. and Miyakawa, 1. (1995) Mol. Gen. Genet., 249, 257-264.  13 Hottiger, T., Boller, T. and Wiemken, A. (1989) FEBS Lett., 255, 431-434.								
	14 Iida, H. (1988) Mol. Cell. Biol., 8, 5555-5560  15 Iwahashi, H., Obuchi, K., Fujii, S. and Komatsu, Y. (1997) Lett. Appl. Microbiol., 25, 43-47.								
<u> </u>	1					•			
EXAMINER			DATE CONSIDERED						

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

	<b>ORMATION</b>	ATTY.DOCKET No.	SERIA NO.					
Use several sheets if necessary)		APPLICANT Johan Thevelein, et al.						
		FILING DATE	GROUP ART UNIT					
•	отн	R DOCUMENTS (Including	ng Author, Title, Date, Pertinent Pages, Etc.)					
	16 Iwasaki, T. et al. (1991), Gene, 109, 81-87.							
	17 Jones and Prakash (1990), Yeast, 6, 363-366.							
	18 Kataoka, T., Broek, D. and Wigler, M. (1985) Cell, 43, 493-505.							
	<ul> <li>19 Kopp, M., Muller, H. and Holzer, H. (1993) J. Biol. Chem., 268, 4766-4774.</li> <li>20 Ma, P., Gonçalves, T., Maretzek, A., Loureiro-Dias, M.C. and Thevelein, J.M. (1997) Microbiol., 143, 3451-3459.</li> </ul>							
	21 Matsumoto, K., Uno, I. and Ishikawa, T. (1985) Yeast, 1, 15-24.							
	22 McKown, R.L., Warren, G.J. (1991), Cryobiology, 28, 474-482.							
	23 Neves et al. (1991), FEBS Lett., 283, 19-22.							
	24 Nikawa, J., Sass, P. and Wigler, M. (1987) Mol. Cell. Biol., 7, 3629-3636.							
	25 Oliver et al., <i>Nature</i> (1992), 357, pp. 38-44.							
	26 Orr-Weaver, T.L. et al. (1983), Methods in Enzymology, 101, 228-245.							
	27 Park, J.I., Grant, C.M., Attfield, P.V. and Dawes, I.W. (1997) Appl. Envir. Microbiol., 63, 3818-3824.							
	28 Praekelt, U.M. and Maecock, P.A. (1990) Mol. Gen. Genet., 223, 97-106.							
	<ul> <li>Sambrook, J., Fritsch, E.F., Maniatis, T. « Molecular Cloning » Cold Spring Harbor Laboratory Press (1989).</li> <li>Sass, P., Field, J., Nikawa, J., Toda, T. and Wigler, M. (1986) Proc. Natl. Acad. Sci. (USA), 83, 9303-9307.</li> </ul>							
	<ul> <li>31 Schaaff, I., Green, J.B.A., Gozalbo, D. and Hohmann, S. (1989) Curr. Genet., 15, 75-81.</li> <li>32 Sherman, F., Fink, G.R. and Hicks, J.B. (1986) Methods in yeast genetics. Cold Spring Harbor Laboratory Press, Cold Spring Harbor.</li> </ul>							
			and Ishikawa, T. (1987) Mol. Cell. Biol., 7, 244-250.					
	34 Spencer J.F.T. and Spencer D.M., Chapter « Yeast genetics » extract of « Yeast a practical approach » (1988), Campbell and Duffus Eds.							
	35 Tatchell, K., Robinson, L.C. and Breitenbach, M. (1985) Proc. Natl. Acad. Sci. (USA), 82, 3785-3789.							
<u> </u>	36 Thevelein, J.M. (1991) Mol. Microbiol., 5, 1301-1307.							
	37 Thevelein, J.M. (1992) Antonie Leeuwenhoek, J. Microbiology, 62, 109-130.							
	38 Thevelein, J.M. et al. (1987), Journal of General Microbiol., 133, 2197-2205.							
	39 Thomas, B.J. and Rothstein, R.J. (1989) Cell, 56, 619-630.							
	40 Toda, T., Cameron, S., Sass, P., Zoller, M., Scott, J.D., McBullen, B., Hurwitz, M., Krebs, E.G. and Wigler, M. (1987) Mol. Cell. Biol., 7, 1371-1377.							
	41 Toda, T., Cameron, S., Sass, P., Zoller, M. and Wigler, M. (1987) Cell, 50, 277-287.							
	<ul> <li>Toda, T., Cameron, S., Sass, T., Zonici, W. and Wigiel, W. (1987) Cett, 50, 277-287.</li> <li>Toda, T., Uno, I., Ishikawa, T., Powers, S., Kataoka, T., Broek, D., Cameron, S., Broach, J., Matsumoto, K. and Wigler, M. (1985) Cell, 40, 27-36.</li> </ul>							
			Res. Commun., 56, 580-587.					
EXAMINER		DATE CONS						
*EXAMINER : Init	ial if reference considered, wh		ance with MPEP 609; Draw line through citation if not in conformance					

Form PTO-FB-A820

and not considered. Include copy of this form with next communication to applicant.

INFORMATION	ATTY.DOCKET No. :		SERIAL .O.				
DISCLOSURE CITATION	APPLICANT Johan Thevelein, et al.						
(Use several sheets if necessary) .	FILING DATE		GROUP ART UNIT				
	U.S. PA	TENT DOCUMENTS	<u> </u>				
EXAMINER DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
					<del> </del>		
		<u> </u>					
	FOREIGN	PATENT DOCUMENT	<u>s</u>				
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRANSLATION · YES NO		
					-		
<u> </u>					<u>.</u>	<u> </u>	
OTHI	ER DOCUMEN	TS (Including Author, T	itle, Date, Pertine	nt Pages,	Etc.)		
44 Van Dijck, P., Col 109-115.	avizza, D., Sme	et, P. and Thevelein, J.N	Л. (1995) Appl. Ei	ıviron. Mi	crobiol.	, 61,	
		<i>robiol. Rev.</i> , 63, 201-21 J., Kosic-Smithers, J. ar		89) <i>I. Rac</i>	terial 1	171	
2680-2688.							
2680-2688.		J., Kosic-Smithers, J. ar		89) J. Bac 	teriol., 1	171,	
<del> </del>		ıwenhoek, J. Microbiol P. (1998) EMBO Journ					
	i, H., Nakayama	a, R., Yamamoto, K. an			nem. Bio	phys.	
EXAMINER		DATE CONSIDERED					

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-FB-A820

Patent and Trademark Office U.S. Department of Commerce